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**UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF MASSACHUSETTS**

**In re:**

**MILTENBERGER, Robert**

**SS# xxx-xx-0619**

**Debtor**

**Chapter 13**

**Case No. 18-12943-JNF**

**TRUSTEE'S OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN**

Now comes Carolyn Bankowski, Standing Chapter 13 Trustee ("Trustee"), and respectfully objects to confirmation of the Debtor's Chapter 13 Plan, (the "Plan"), and for reasons says as follows:

1. On September 12, 2018, the Trustee convened the §341 meeting of creditors at which the Debtor was present with counsel. On November 27, 2018 the Debtor filed an amended Plan.
2. The Debtor's proposed plan cannot be confirmed.
3. Part 2.B. is inconsistent with Exhibit 1. Part 2.B. proposes payments in the sum of \$957.00 for months 1-3 and payments in the sum of \$1,846.00 for months 4-60. This does not match Exhibit 1. According to Exhibit 1, the monthly payments are \$333.34 for 3 months and \$1,846.00 per month for 57 months. Further, the Debtor has only made one payment on September 18, 2018. The Debtor has not demonstrated an ability to make monthly payments.

WHEREFORE, the Trustee requests that the Court sustain the objection to confirmation and grant such other relief as is proper.

Dated: December 14, 2018

Respectfully submitted,

By: /s/ Carolyn Bankowski  
Carolyn Bankowski, BBO#631056  
Patricia A. Remer, BBO#639594  
Standing Chapter 13 Trustee  
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**Certificate of Service**

The undersigned hereby certifies that on December 14, 2018, a copy of the Trustee's Objection to Debtors' Chapter 13 Plan was served via first class mail, postage prepaid or by electronic notice on the debtors and debtors counsel at the addresses set forth below.

Robert Miltenberger  
109 Farmersville Road  
Sandwich, MA 02563

Michael Van Dam  
Van Dam Law LLP  
233 Needham Street  
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/s/ Carolyn Bankowski